MICHAEL L. MALLOW
SIDLEY AUSTIN LLP
555 Fifth Street, Suite 4000
Los Angeles, CA 93001
213-896-6666
mmallow@sidley.com
Attorneys For Defendant

JEFFREY W. HERRMANN
COHN LIFLAND PEARLMAN HERRMANN & KNOPF LLP
Park 80 West-Plaza One
250 Pehle Avenue, Suite 401
Saddle Brook, NJ 07663
201-845-9600
jwh@njlawfirm.com
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ELLEN S. WERTHEIM, etc.,	Case No. 2:16CV02370-MCA-MAH
Plaintiff,	**NOTICE OF MOTION TO DISMISS PLAINTIFF'S CLASS ACTION COMPLAINT**
vs.	
TOYOTA MOTOR SALES, USA, INC, d/b/a LEXUS,	MOTION DATE: AUGUST 15, 2016
Defendant.	**ORAL ARGUMENT REQUESTED**
	ECF CASE

PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law, Defendant by its counsel Sidley Austin LLP, will move this Court on August 15, 2016 at 10:00 a.m., or as soon thereafter as counsel can be heard, before the Honorable Madeline C. Arleo, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, Court Room MLK 2A, for an Order pursuant to Rule 9(b) of the Federal Rules of Civil Procedure dismissing Plaintiff's Class Action Complaint in its entirety for failure to particularity state a claim upon which relief can be granted.

Dated: July 22, 2016

SIDLEY AUSTIN LLP

By:/s/ Michael L. Mallow

MICHAEL L. MALLOW
555 Fifth Street, Suite 4000
Los Angeles, CA 93001
213-896-6666
mmallow@sidley.com
Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 22, 2016, an electronic copy of the foregoing NOTICE OF MOTION TO DISMISS PLAINTIFF'S CLASS ACTION COMPLAINT was filed via ECF and served via the Court's CM/ECF system to the counsel of record in the above-captioned actions.

By: /s/ Michael L. Mallow